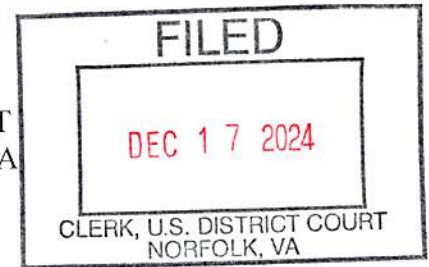


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division



IN THE MATTER OF THE ISSUANCE OF
A CRIMINAL COMPLAINT AND ARREST
WARRANT RE:

ISIDRO ATXEL MAGANA-CALDERON

UNDER SEAL

Case No. 2:24-mj- 215

AFFIDAVIT IN SUPPORT OF AN APPLICATION FOR CRIMINAL COMPLAINT

I, Jason E. Brumbelow, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I am a Special Agent employed by the United States Department of Homeland Security, U.S. Immigration and Customs Enforcement ("ICE"), Homeland Security Investigations ("HSI"). I am assigned to the HSI office in Norfolk, Virginia. I have been employed as a Special Agent with HSI since January 2008. I am currently assigned to work on the Hampton Roads Human Trafficking Task Force within the Norfolk, Virginia Division of HSI. My experience includes the investigation of cases involving human trafficking and the use of facilities of interstate and foreign commerce in furtherance of such crimes. I am a graduate of the Federal Law Enforcement Training Center's Criminal Investigator Training Program and the U.S. Immigration and Customs Enforcement Special Agent Training Program. I have received training in the investigation of criminal violations of federal law within the jurisdiction of HSI, and the investigation of child exploitation and human trafficking. Additionally, I have received training and gained experience in arrest procedures, search warrant applications, the execution of searches and seizures, and various other criminal laws and procedures.

2. As a federal agent, I am authorized to investigate violations of laws of the United States and to execute warrants issued under the authority of the United States.

3. The facts in this affidavit come from my personal observations and information obtained from other investigators and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not set forth all my knowledge about this matter. Rather, I have included only the facts that are sufficient to establish probable cause for the issuance of a criminal complaint and the issuance of an arrest warrant for the criminal violations described in more detail below.

STATUTORY AUTHORITY

4. This affidavit is submitted in support of a criminal complaint and arrest warrant charging defendant ISIDRO ATXEL MAGANA-CALDERON with violations of 18 U.S.C. §§ 2251(a) (Production of Child Pornography); 2422(b) (Coercion and Enticement of a Minor); and 1470 (Transfer of Obscene Material to a Minor).

LEGAL AUTHORITY

5. 18 U.S.C. § 2251(a), in relevant part, makes it unlawful to use, persuade, induce, entice, or coerce any minor to engage any sexually explicit conduct for the purpose of producing any visual depiction of such conduct or for the purpose of transmitting a visual depiction of such conduct.

6. 18 U.S.C. § 2422(b), in relevant part, makes it a federal crime for anyone to use any facility or means of interstate commerce to knowingly persuade, induce, entice, or coerce any individual who has not attained the age of 18 years, to engage in prostitution or any sexual activity for which any person can be charged with a criminal offense or attempts to do so.

7. Virginia Code Section 18.2-374.1 prohibits any person from knowingly reproducing

by any means, selling, giving away, distributing, electronically transmitting, displaying, purchasing, or possessing with intent to sell, give away, transmit or display, child pornography.

8. 18 U.S.C. § 1470, in relevant part, makes it unlawful to use the mail or any facility or means of interstate or foreign commerce to knowingly transfer obscene mater to another individual who has not attained the age of 16 years, knowing that such other individual has not attained the age of 16 years.

PROBABLE CAUSE

9. On July 20, 2024, a woman (hereinafter, "TC") contacted the Norfolk Police Department (hereinafter "NPD") through the 911 emergency call system. During this call, TC stated that her ten (10) year old daughter (hereinafter, "MINOR VICTIM 1") had communicated with an individual that identified himself as "Axel" through the TikTok social media platform. TC reported that "Axel" asked MINOR VICTIM 1 to send nude photographs of herself, and, in response, MINOR VICTIM 1 sent the requested photographs to "Axel." TC also informed NPD that "Axel" sent MINOR VICTIM 1 images depicting adult pornography.

10. MINOR VICTIM 1 resides in Norfolk, Virginia, which is located in the Eastern District of Virginia.

11. Tik Tok is a social media platform that requires use of the internet.

Recovery of MINOR VICTIM 1's Cell Phone on July 22, 2024

12. On July 22, 2024, TC and her husband (hereinafter, "DC"), brought MINOR VICTIM 1 to the NPD Police Operations Center (hereinafter "POC") to provide statements to an NPD detective. During this meeting at the NPD POC, DC turned a Moto 5G cellular telephone (hereinafter "DEVICE") over to the NPD detective. DC informed the NPD detective that MINOR VICTIM 1 used the DEVICE to communicate with "Axel." DC also stated that he purchased the

DEVICE and paid the DEVICE's monthly account charges. DC provided the NPD detective with consent for law enforcement to search the DEVICE.

Review of Data Stored in the DEVICE

13. The NPD detective provided your affiant with a copy of the data stored in the DEVICE that NPD recovered on July 22, 2024 for review. This data showed that MINOR VICTIM 1 began communicating, via text message, with the user of telephone number 603-825-2480 (hereinafter "2480") on May 10, 2024. The following is a sample of the initial text message exchanges between MINOR VICTIM 1 and the user of 2480:

MINOR VICTIM 1: Hi, It's the girl

2480: Oh hey

MINOR VICTIM 1: How are you?

2480: Good but

MINOR VICTIM 1: What's wrong? But

2480: Can this be me and you

14. The user of 2480 then sent MINOR VICTIM 1 a 49 second video of what appeared to be a man and young girl kissing. The user of 2480 then sent MINOR VICTIM 1 two messages stating, "That's me. Can I hug you like this while we kiss?" MINOR VICTIM 1 responded with the message, "Do porn." The user of 2480 replied, "You want to watch some," and MINOR VICTIM 1 responded, "Yes." The user of 2480 then sent MINOR VICTIM 1 a 31 second video of a male and female having sex during which the camera focused on the male's and female's genitals.

15. After the user of 2480 sent MINOR VICTIM 1 the video described above, they exchanged the following messages:

2480: Do you want to see my dick

MINOR VICTIM 1: Yessss and porn

2480: Ok but can you send me a video of your pussy

MINOR VICTIM 1: No Because my dad can track my phone And see my picture

16. On May 11, 2024, the user of 2480 and MINOR VICTIM 1 continued to communicate via text message. During these communications, they had the following exchange:

2480: What are you doing

MINOR VICTIM 1: Nothing Having ice cream Wyd

2480: Wanna see what I'm doing

MINOR VICTIM 1: Sure

2480: I was looking at the video you sent me yesterday

The user of 2480 then sent MINOR VICTIM 1 a 6 second video of a male masturbating. Subsequently, MINOR VICTIM 1 and the user of 2480 then had the following text exchange:

2480: Can I see your pussy again I love it

MINOR VICTIM 1: Whyy

2480: Please do a long video

MINOR VICTIM 1: My dad can what pic I send to people a vid

2480: And I will send a lot of videos

MINOR VICTIM 1: And vids

2480: Ok

MINOR VICTIM 1: Send them

2480: Not if you delete them after you send them

17. Later on May 11, 2024, the user of 2480 sent MINOR VICTIM 1 a text message

stating, “Show me your pretty pussy tho babe Sorry I can’t call you babe[.]” MINOR VICTIM 1 then sent 2480 a 10 second video depicting MINOR VICTIM 1 pulling her pants aside and exposing and fondling her genitals. MINOR VICTIM 1’s face was visible during parts of the video. After receiving this video, 2480 replied, “Your such a good girl.” The user of 2480 then sent MINOR VICTIM 1 two videos of someone fondling an adult woman’s genitals. MINOR VICTIM 1 then sent the user of 2480 what appeared to be the same video of MINOR VICTIM 1 exposing her genitals that your affiant described above.

18. Database checks determined that Pinger, Inc. was the service provider for the 2480 number during the time period in which the user of 2480 and MINOR VICTIM 1 communicated. On September 17, 2024 your affiant served a grand jury subpoena on Pinger, Inc. to obtain, among other things, subscriber records, call detail records, and Internet Protocol (IP) address logs for the account associated with the 2480 number. On September 19, 2024, Pinger, Inc. provided the requested records. Among other things, a review of these records revealed the following information:

- a. The subscriber’s name for the account user was “Alex One.”
- b. The activation date for the account was December 31, 2023, and the records indicated that the account was active.
- c. The user of this account used IP address 98.52.202.177 (“the .177 IP”) to access this account multiple times on May 11, 2024.

19. A further review of the information stored on the DEVICE revealed that the user of the 2480 number also used telephone number 779-335-7598 (hereinafter “7598”) to communicate with MINOR VICTIM 1 because the user of 7598 identified himself by the name “Axel.” For example, on May 22, 2024 through May 23, 2024 MINOR VICTIM 1 and the user of 7598 had the following text exchange:

7598: Hey

MINOR VICTIM 1: Yes? Who are u

7598: It's me Axel

MINOR VICTIM 1: What?

7598: You forgot about me already

MINOR VICTIM 1: No the number is different

7598: Oh yeah I have a new one

20. On June 1, 2024 the user of 7598 and MINOR VICTIM 1 had the following text communications exchange:

7598: Show me a pic

MINOR VICTIM 1: No

7598: Fine show me your outfit

MINOR VICTIM 1: Oh K ? You now

7598: Pull the shorts down a little

MINOR VICTIM 1: Im

7598: Just a little baby Baby

MINOR VICTIM 1: Yes

7598: Wyd

MINOR VICTIM 1: Nothing

7598: I want you

MINOR VICTIM 1: I know you do

7598: Really bad tho

30. On June 3, 2024 the user of 7598 and MINOR VICTIM 1 had the following text

message exchange:

7598: Show daddy something

MINOR VICTIM 1: No

7598: Baby Stop

MINOR VICTIM 1: Why? Ok Call me or else

7598: In the night Give me like 2 hours

MINOR VICTIM 1: No cuz I have to go to bed in like 2 hours cuz I have school

21. On June 10, 2024 the user of 7598 and MINOR VICTIM 1 had the following text message exchange:

7598: Hi

MINOR VICTIM 1: What you doing

7598: In the shower

MINOR VICTIM 1: Just got out of pool

7598: Show me your bathing suit

MINOR VICTIM 1: I can't my mom's here

7598: When you get home ok Or when she's not there

22. Database checks revealed that T-Mobile was the service provider for the 7598 number during the time period in which the user of 7598 and MINOR VICTIM 1 communicated. On August 8, 2024 your affiant served an administrative summons on T-Mobile requesting, among other things, subscriber and call detail records for the 7598 number. August 13, 2024 T-Mobile provided the requested records. Among other things, a review of these records revealed the following information:

a. The subscriber's name for this account was "Axel Magana."

- b. The records listed April 16, 2024 as the account's creation date.
- c. The records listed "2818 Yonge St" as the account subscriber's address.

33. A further review of the information stored on the DEVICE revealed that the user of 2480 and 7598 also used telephone number 815-516-9046 (hereinafter "9046") to attempt to communicate with MINOR VICTIM 1. During these communications, the user of 9046 identified himself by the name "Axel."

23. On July 20, 2024 the user of 9046 sent several messages to the DEVICE. TC advised the NPD that MINOR VICTIM 1 notified her about receiving the messages from the user of 9046. TC told the NPD that she responded to these messages posing as MINOR VICTIM 1. The following are some of the text exchanges between the user of 9046 and TC, posing as MINOR VICTIM 1:

9046: Hey

TC: Hi?

9046: It's me axel I got a new number

TC: Y

9046: I just did

24. Database checks revealed that T-Mobile was the carrier for the 9046 number during the time period in which the user communicated with MINOR VICTIM 1. On August 8, 2024 your affiant served an administrative summons on T-Mobile requesting, among other things, subscriber and call detail records for telephone number 815-516-9046. August 13, 2024 T-Mobile provided the requested records. Among other things, a review of these records revealed the following information:

- a. The subscriber's name for this account was "Axel Magana."

b. The records listed July 20, 2024 as the account's creation date.

25. The subscriber's name, provided by T-Mobile, for the user of the 7598 number that communicated with MINOR VICTIM 1 was also "Axel Magana." The user of the 7598 and 9046 numbers also identified himself as "Axel" in text messages to MINOR VICTIM 1. MINOR VICTIM 1 also stated during a forensic interview the individual that she communicated with via text messages had the Tik Tok username "Itz_Axel."

Information from Pinger, Inc.

26. On October 7, 2024 the United States Magistrate Judge Lawrence Leonard authorized a search warrant for the Pinger Inc. account associated with the 2480 number. On October 10, 2024 Pinger, Inc. provided your affiant with subscriber information, call detail records, message logs, message content, and IP logs associated with this Pinger account.

27. A review of the message content of the Pinger, Inc. account with the 2480 number revealed that the account user engaged in sexually explicit text communications, solicited sexually explicit images from, and sent sexually explicit images and videos to several individuals that, based on the content of the communications, appeared to be minors. The content included the above-referenced conversations between the user of the 2480 number and MINOR VICTIM 1.

28. Pinger, Inc. is a Voice over Internet Protocol (VoIP) service that relies on an internet connection or carrier data to function. Carrier data refers to accessing the internet through a data plan via a mobile carrier, rather than using local Wi-Fi or a cabled connection to the internet. Thus, use of Pinger, Inc. text messaging requires use of the internet.

Information from Meta Platforms

28. Area codes 815 and 779 both service Northern Illinois. Therefore, your affiant used an undercover Facebook account to search for Facebook users with the name "Axel Magana" with

connections to Northern Illinois. One of these searches identified a Facebook account with the profile name “Axel Magana” that listed the user’s location as Chicago, Illinois. Your affiant served Meta Platforms with an administrative summons for, among other things, subscriber information and IP logs for this Facebook account. On August 21, 2024, Meta Platforms provided the requested records. Among other things, these records revealed the following information:

- a. The records lists the subscriber’s name as “Axel Magana.”
- b. The account’s IP logs also show that the user accessed the account on May 1, 2024 and July 31, 2024 via the .177 IP.

Information from Comcast Communications

29. A search of the .177 IP revealed that Comcast Communications was its service provider when the user of the “Axel Magana” Facebook account accessed the Facebook platform on July 31, 2024, which was the most recent date that the user of this Facebook account accessed the account, according to the IP logs that Meta Platforms provided to your affiant. On August 23, 2024, your affiant served Comcast Communications with a grand jury subpoena for, among other things, the subscriber information for the Comcast Communications account holder that leased the .177 IP when the user of the “Axel Magana” Facebook account accessed the account. On August 28, 2024, your affiant received the requested records. Among other things, the Comcast Communications records revealed the following information:

- a. The service and billing addresses for this account was 2818 Yonge St, Rockford, Illinois 61101.
- b. The customer email address for this account was axelmagana9111@comcast.net.

49. Notably, the 2818 Yonge St, Rockford, Illinois address appears to be the same subscriber address that T-Mobile provided for the user of the 7598 number used to communicate

with MINOR VICTIM 1.

Identification of MAGANA-CALDERON

30. As stated earlier, the subscriber address for the 7598 number was 2818 Yonge St, and the billing address for the .177 IP address was 2818 Yonge St., Rockford, Illinois.

Additionally, the subscriber's name for the 7598 and 9046 numbers was Axel Magana, and the subject identified himself to MINOR VICTIM 1, along with other suspected minors, as "Axel."

31. The subject used the 2480 number to communicate with a suspected minor that used number 863-532-4167 (hereinafter "4167"). Your affiant suspects the user of the 4167 number is a minor because of the following text exchange that took place on July 28, 2024:

2480: What grade are you going to

4167: I really don't know

2480: Really

4167: Ye..

2480: Howwww

4167: Idk

2480: 6th

2480: Grade?


4167: 5th bc they came back A grade but I told my if she can put in the 6th with my brother that is in 7th but going into the 8th I think

2480: So your going to 5th

4167: Ye

2480: Your still a baby

2480: My baby tho

32. The user of the 4167 number addressed the user of the 2480 number as “Axel Daddy” during a July 18, 2024 text message exchange. On July 19, 2024, the user of the 4167 number sent the 2480 number the message, “Where do you live.” The user of the ~~2408~~ ^{2480 GCB} number responded, “Chicago Illinois.” 

33. The user of the 2480 number also communicated with a suspected minor that used telephone number 815-661-9106 (hereinafter “9106”). Your affiant suspects the user of number 9106 is a minor because she sent the user of the 2480 number the following message on July, 21, 2024:

9106: Ok I can't do this with you if you're going to be like that I'm 12 and your turning 15 like what?

34. On July 20, 2024 the users of the 2480 and 9106 numbers had the following text exchange:

2480: It's me axel

9106: Face reveal I would thing you already know what I look like right?

2480: Yeah but send too

9106: K

9106: I don't have makeup on

The user of the 2480 number then sent the user of the 9106 number a video of a male looking at the camera.

35. During this investigation, your affiant requested assistance from the HSI office that covers the Chicago, Illinois metropolitan area (hereinafter HSI “Chicago”). Your affiant asked HSI Chicago for help in identifying the subject of this investigation.

36. On October 22, 2024 an analyst in the HSI Chicago office searched a database of

driver's license records for the state of Illinois. During this search, the analyst found a record for an individual named ISIDRO ATXEL MAGANA-CALDERON with a date of birth of July 7, 1999.

37. An HSI Chicago Special Agent sent your affiant a photograph of ISIDRO ATXEL MAGANA-CALDERON stored in the Illinois driver's license database. On October 29, 2024 your affiant compared this photograph to the video of the male that the user of the 2480 number sent to the user of the 9106 number. Based on this comparison, the individual in the video sent to the 9106 number and ISIDRO ATXEL MAGANA-CALDERON appear to be the same individual.

38. Additionally, a review of the DEVICE data show that the user of the 7598 number sent MINOR VICTIM 1 a photograph of a male on June 8, 2024. Prior to sending this photograph, the user of the 7598 number sent MINOR VICIM 1 sent a message that said, "Have you seen my face?" MINOR VICTIM 1 responded with "no." The user of the 7598 number then wrote, "Want me to send a video" and MINOR VICTIM 1 responded "Sure." The user of the 7598 number then sent MINOR VICTIM 1 a short video showing a male looking toward his right. On November 4, 2024 your affiant compared this video to the video of the male that the user of the 2480 number sent to the user of the 9106 number and the photograph of ISIDRO ATXEL MAGANA-CADERON stored in the Illinois driver's license database. Based on this comparison, the images of the male that the user of the 7598 number sent to MINOR VICTIM 1, the user of the 2480 number sent to the user of 9106, and in the Illinois driver's license database photograph of ISIDRO ATXEL MAGANA-CALDERON appear to be images of the same person.

Encounter with Magana-Calderon

39. On December 10, 2024, two Special Agents from HSI Chicago conducted surveillance of the residence at 2818 Yonge Street, Rockford, Illinois (hereinafter "the residence").

During this surveillance, the HSI Special Agents saw a woman standing in the doorway of the residence. The HSI Special Agents approached the residence and identified themselves to the woman. One of the HSI Special Agents showed the woman a photograph of a male subject from a different HSI investigation. The HSI Special Agent asked the woman if she recognized the male in the photograph. The woman responded that she did not recognize the person in the photograph.

40. The HSI Special Agent then asked the woman if there was anyone else in the residence to whom he could show the photograph. According to the HSI surveillance report, the woman responded, “my son” and then called for “Axel” to come to the door of the residence. A male subject then came to the door of the residence. The HSI surveillance report further stated that the HSI Special Agents determined this male subject to be Isidro Atxel Magana-Calderon “based on his close resemblance” to Magana-Calderon’s “Illinois driver’s license photo” and from the fact that the woman at the residence addressed him by the name “Axel.” The HSI Special Agents then showed the male subject a photograph of the subject of the other HSI investigation. The male subject stated that he had not seen the individual in the photograph.

CONCLUSION

41. Based on the information and evidence set forth above, I respectfully submit there is probable cause to establish that ISIDRO ATXEL MAGANA-CALDERON committed the following offenses:

COUNT ONE: On or about May 11, 2024, within the Eastern District of Virginia, and elsewhere, ISIDRO ATXEL MAGANA-CALDERON employed, used, persuaded, induced, enticed, or coerced a minor to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct, and ISIDRO ATXEL MAGANA-CALDERON knew or had reason to know that such visual

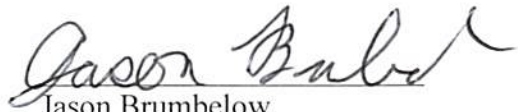
depiction would be transported or transmitted using a means or facility of interstate or foreign commerce or in or affecting interstate or foreign commerce, that the visual depiction was produced or transmitted using materials that have been mailed, shipped, or transported in or affecting interstate or foreign commerce by any means, including by computer, or if such visual depiction was actually transported or transmitted using a means or facility of interstate or foreign commerce or in or affecting interstate or foreign commerce, in violation of 18 U.S.C. § 2251(a).

COUNT TWO: On or about May 11, 2024, within the Eastern District of Virginia, and elsewhere, ISIDRO ATXEL MAGANA-CALDERON knowingly persuaded, induced, enticed, or coerced an individual who has not attained the age of 18 years, to engage in sexual activity for which a person can be charged with a criminal offense, namely Virginia Code § 18.2-374.1, in violation of 18 U.S.C. § 2422(b); and

COUNT THREE: On or about May 10, 2024, within the Eastern District of Virginia, and elsewhere, ISIDRO ATXEL MAGANA-CALDERON, knowingly used the mail or any facility of interstate or foreign commerce to transfer obscene matter to an individual who has not attained the age of 18 years, knowing that such individual has not attained the age of 16 years, in violation of 18 U.S.C. § 1470.

43. Accordingly, I request that a complaint be issued charging ISIDRO ATXEL MAGANA-CALDERON with such offenses

FURTHER, AFFIANT SAYETH NOT.

A handwritten signature in black ink, appearing to read "Jason Brumbelow", written over a horizontal line.

Jason Brumbelow
Special Agent
Homeland Security Investigations

Subscribed and sworn before me on this this 17th day of December, 2024, in the City of Norfolk,
Virginia.

A handwritten signature in blue ink, appearing to read "Rusby H. H. H.", written over a horizontal line.
UNITED STATES MAGISTRATE JUDGE